

Official Minutes for Webb County Commissioners Court Meeting

Monday, January 24, 2005 at 1:00 PM and continuing
Tuesday, January 25, 2005 at 1:00 PM
(Approved 02-28-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:
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| Louis H. Bruni | County Judge |
| Frank Sciaraffa | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Jerry Garza | Commissioner, Pct. 3 |
| David Cortez | Commissioner, Pct. 4 |
- Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 19th and 20th of January 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.
- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 4 Approval of minutes – January 1, 2005 meeting
- Cmr. Gutierrez motioned to approve the minutes as presented. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 3 Pledge of Allegiance – Led by Dr. Hector Farias
- Item No. 5 Approval of bills, payroll and monthly reports
- Mr. Leo Flores, County Auditor, stated that the budget is the county's financial plan for the year. He stated that at the end of the December, 18 of 23 departments were below the revenues projected. He stated that the Treasurer's Department was \$1 million below projections and the Sheriff's Department was \$60,000 below projections. He stated that the low revenues resulted in a total deficit of \$2.47 million. He stated that he felt that the deficit would continue to increase and that a plan needed to be put in place to cover any shortfalls. He stated that \$273,000 was paid to Sheriff's employees who resigned, retired or were dismissed, along with

\$149,000 in sick leave payouts and incentives. He stated that this would result in a shortfall in the Sheriff's payroll budget which would need to be addressed by the Court. He stated that the Indigent Defense Fund exceeded its expenditures by \$258,000 last year and would need to be closely monitored. He stated that the Indigent Health Services would also need to be monitored though they are currently 3% under-budget. He stated that the Autopsy budget was short by \$55,000 last year. He stated that there are monies available in the morgue department and feels that those monies should be used to offset the autopsy expenditures. He stated that the sales tax is \$2,000 under projections. He stated that departments need to be held accountable in meeting their budgeted revenues. He urged the court to not make any exceptions and therefore not authorize the expenditure of funds not available or budgeted. Judge Bruni recommended that Mr. Carlos Villarreal, Mr. Raul Casso and Mr. Leo Flores create a contingency plan for this item. He stated that all departments not meeting their projected revenues should address the court at the upcoming meeting. Cmr. Cortez stated that the monies allocated for sick leave buyback should not be exceeded regardless of the number of requests. Mr. Leo Flores stated that the fund balance is not in deficit but would need to take monies from the fund balance to offset any deficits in the budget due to low revenues and/or higher expenditures. Mr. Rick Flores, County Sheriff, stated that he had no input during the budget preparation for his department. He stated that he is keeping the ration of guards to inmates as per the Commissioner on Jail Standards criteria and is going to meet with the U.S. Marshals to begin negotiations to bring back federal inmates. He stated that the county should not rely on federal prisoners as a source of revenue since they may lose them if the super jail proposed is build in Webb County. He stated that he felt that the county was in dire need of a new jail due to the increased population in Webb County. Cmr. Cortez thanked Sheriff Flores for his decision to terminate his son's employment as a jailer since he was able to go out and get a better job. He stated that he had been trying to get his son to look for another job for some time and sincerely thanked Sheriff Flores for pushing his son to do that. Ms. Delia Perales, County Treasurer, stated that she disagreed with Mr. Flores' report about her office not meeting its projected revenues. She stated that revenues for December and January totaled \$1.6 million and doesn't feel that they were included in the Auditor's report. She stated that some of the line items that are shown under her department are not under her control. She stated that she has an agenda item to form a financial committee to be able to resolve some issues instead of bringing them before the court. Cmr. Garza stated that it was still early in the fiscal year and wanted to know if something could be done about these shortfalls. Mr. Leo Flores stated that if the current trend of low revenues and high expenditures continues, there will be a budget shortage at the end of the year.

Cmr. Sciaraffa motioned to accept the Auditor's report. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni requested a moment of silence in memory of Juan Rodrigo Rodriguez, local U.S. Marine who passed away in combat in Iraq and Vicente Andrade, Jr. who passed away in a motor bike accident.

Moment of silence was observed.

Cmr. Sciaraffa welcomed everyone present and those watching on Public Access. He sent his condolences to the Rodriguez Family who has suffered a great loss. He stated that the court needed to move forward and chose a leader for the Veterans Service Office.

Cmr. Cortez stated that Ms. Andrea Williams of two positions available on the board for the Commission on Jail Standards and would like for Cmr. Sciaraffa to apply for one of those slots due to his background in law enforcement.

Ms. Patricia Barrera, Tax Assessor Collector, stated that since she took office in 1992, there has been a growth of over 65,000 to 144,980 in parcels and over 165,000 to 204,646 in vehicle registration. She stated that despite the tremendous growth of Webb County, her staff has only increased from 33 employees to 39. She stated that she would be seeking additional staff in the upcoming budget as well as new scanners. Cmr. Cortez stated that he has monies available in Capital Outlay that Ms. Barrera would be able to use. Cmr. Gutierrez commended Ms. Barrera for her staff's efficiency and knowledge.

Item No. 7 Public Comment

Mr. Benito Chapa was present to address Item No. 10. He stated that the roads needed to be fixed. He stated that the roads are in bad condition and full of pot holes, which make it difficult to drive in.

Ms. Irene Gomez was present to address Item No. 10. She stated that she has lived in Pueblo Nuevo for a long time and that she is tired of broken promises. She stated that nothing has been done to the streets even though taxes continue to be collected.

Ms. Laura De La Cruz was present to address Item No. 10. She stated that it was very dangerous to walk in the streets at night or after it rains because of the condition of the street. She stated that the school bus doesn't go into the colonia when it rains because the streets get flooded and the children have to walk outside the colonia to get the bus.

Mr. Raul Ramos was present to address Item No. 10. He stated that he has lived there for four years and has seen the need for road repair and garbage containers. He stated that the court has an obligation to the people and only wants what is rightly needed. He stated that the residents are grateful for what has been done.

Mr. Ramon Munoz was present to address Item No. 10. He thanked the court for their assistance in picking up the garbage. He stated that the residents needed to know what was being done to repair the county roads.

Dr. Hector Farias was present to address the court on several items. He stated that the Laredo Veterans Coalition had met with and interviewed the candidates for the Veterans Service Officer and submitted a recommendation to the court. He stated that he did not understand why the court would ask them to do this if they would be interviewing the candidates as well. He also expressed concerns about the matters dealing with the golf course. He stated that the previous judge had wanted to absolve the golf course operator of all debts, which violated the state constitution, and urged the court to think twice before agreeing to anything. He stated that a lot of taxpayers' money has been lost on the golf course and stated that item needed to be addressed in open court. He stated that the golf course operator position should be put out for bids or someone else should be hired.

Mr. Rodolfo Rodriguez was present to address the court regarding the Veterans Service Office. He stated that he spent 20 years in the military service and feels that Mr. Mike Mendoza was the best qualified candidate for the position. He stated that there was no one with the knowledge that Mr. Mendoza has anywhere in Laredo.

Mr. Jose Luis Munoz, 1st Vice-President Laredo Veterans Coalition, was present to address the court regarding the Veterans Service Office. He stated that it was an honor and a privilege to interview the possible appointees for this very important position. He stated that several organizations were invited to attend but few showed up. He stated that their recommendation was for Mr. Antonio Silva. He stated that as a disabled veteran, Mr. Silva knows the needs of veterans and their families. He congratulated Mr. Mendoza for his outstanding experience.

Mr. Luis Diaz De Leon was present to address the court regarding the Veterans Service Office. He stated that as the newly elected chairperson for the Laredo Veterans Coalition, his goal was to unite the various veterans' organizations. He stated that it was up to the court to honor the commitments made to the Laredo Veterans Coalition.

Mr. Jack Sonison was present to address Item No. 30 and 64. He stated that these items should be put out for bids before spending that amount of money.

Mr. Anthony Peterson was present to address the court on various items. He stated that he agreed with Dr. Farias' comments regarding the golf course. He stated that the new system being implemented by J.P. Oscar Martinez for the payment of traffic tickets should be implemented with the other JPL's as well.

BREAK (2:50 pm – 3:13 pm)

Mr. Gutierrez motioned to move up Item No. 66. Mr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66 Discussion and Possible to enter into a Professional Service Agreement with Clifford M. Black, Ph D., Professor of Criminal Justice and Sociology as Administrative Coordinator for Webb County Sheriff's Department effective January 1, 2005.

Mr. Rick Flores, County Sheriff, stated that this item was not to create a slot. He stated that this item would be paid for through Professional Services. Mr. Homero Ramirez, County Attorney, stated that he has reviewed the draft agreement and would like to make some adjustments, including 1) the addition of a termination at will clause; 2) a statement regarding confidentiality agreements; 3) specifications of work to be performed and; 4) clause stating that agreement will end at the end of the fiscal year. He also stated that the court would need to approve an order granting discretionary exemption from competitive bidding.

Comr. Gutierrez motioned to approve the contract with the changes presented by the County Attorney and approve an order granting discretionary exemption from competitive bidding. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 7 Public Comment

Dr. Dennis Cantu was present to address the court regarding the golf course. He stated that it would be difficult for someone who hasn't been at the golf course to comment about whether the monies are being ill-spent. He stated that this is not just a sport but also a venue for community affairs and local fundraising efforts. He stated that the purpose of the golf should not be to make money but to improve the quality of life.

Mr. Hector Garcia was present to address the court regarding the golf course. He stated that a lot of good was being done at the golf course but that nothing had been done to maintain it.

Comr. Garza motioned to move up Item No. 23. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Discussion and possible action to appoint Dr. Michael Yoder to the Planning Advisory Board.

Comr. Garza stated that Dr. Michael Yoder has extensive knowledge in land use and would be an asset to this board.

Comr. Garza motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 64, No. 65, and No. 33(f). Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64 Discussion and possible action to adopt the Golf Course Improvement Budget from Capital Outlay in the amount of \$282,000.

1. Pump Station, Building, Pad and Installation	\$120,000
2. Excavation of creeks and ponds	\$ 30,000
3. Shaping of material	\$ 30,000
4. Installation of Drain	\$ 16,000
5. Golf Course Irrigation Installation	\$ 30,000
6. Sodding with 419 Bermuda	\$ 41,900
7. Contingency	\$ 14,100
TOTAL	\$282,000

Item No. 65 Discussion and possible action to solicit bids/proposals for the Casa Blanca Golf Course Improvements.

Cmr. Cortez motioned to approve Item No. 64 and No. 65 as submitted. Cmr. Gutierrez seconded the motion.

Motion failed 2-3 with Cmr. Sciaraffa, Cmr. Garza and Judge Bruni voting against.

Item No. 33 Discussion and possible action to approve expenditure of the following:

- a. Up to \$40,000 for the purchase of a vehicle for use by any Webb County Commissioners Court department.
- b. Up to \$60,000 of capital outlay funds for the County Attorney's Office
- c. Up to \$50,000 for lighting for baseball field at Father McNaboe Park and \$100,000.00 for a proposed swimming pool at Mines Road. (Terms of agreement to be finalized by County Attorney's Office)
- d. Up to \$50,000 for playground module for the Noon Lions Park. (Terms of agreement to be finalized by County Attorney's Office)
- e. Up to \$100,000 for Modular Building to be located at La Ladrillera Neighborhood Facility for space for migrant and/other neighborhood activities. (Terms of agreement to be finalized by County Attorney's Office)
- f. Up to \$200,000 for capital improvements for the Casa Blanca Golf Course. (Terms of agreement to be finalized by County Attorney's Office)

Cmr. Cortez motioned to withdraw Item No. 33(f). Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 8 Status report on Legislative Agenda 2005 by Andrea McWilliams of McWilliams & Associates, with discussion and possible action to direct Ms. McWilliams to add to/or modify the legislative agenda as deemed appropriate by Commissioners Court, and any other matter(s) incident thereto.

Ms. Andrea McWilliams was present to address the court. She stated that the Comptroller had certified that there was \$400,000 more available than last year. She stated that Governor Rick Perry has designated school finance as an emergency item. She stated that she drafts the legislative agenda based on interests of Webb County. Cmr. Gutierrez requested that Ms. McWilliams include HB 420 on her list for Webb County interests since it would impact the MHMR services in Webb County. Ms. Patricia Barrera, Tax Assessor Collector, also requested that the county look into possible obtaining a regional license. She stated that trailer drivers and persons who lose their titles have to request them via mail or go out of town to get them. Mr. Carlos Villarreal, Executive Administrator, stated that it would be a good idea for the elected officials and department heads to meet with Ms. McWilliams to discuss which items would be of interest to their department and Webb County. Cmr. Cortez stated that any legislation regarding unfunded mandates was of the utmost importance and wanted to be kept up to date on this item. Mr. Homero Ramirez, County Attorney, recommended that any relevant information should be forwarded to the elected officials and department heads, particularly if it relates to their office. He also recommended that Mr. Carlos Villarreal, Executive Administrator, also be given that information.

Item No. 9 Status report on oil/gas litigation by Webb County as Trustee for school lands with discussion and possible action to seek a legal opinion from third party counsel on whether legal fees to be expended for the benefit of the Trust Beneficiary may be paid for by the trust estate where the Trustee and Beneficiary are governmental entities.

Mr. Homero Ramirez, County Attorney, stated that the contingency fee arrangement suggests payment no matter what. He recommended that he be allowed time to request an Attorney General's opinion to interpret the constitutional intent due to changing times and also recommended that the attorney for this matter be present at the next meeting.

Item No. 10 Status report on the County Roads at Pueblo Nuevo Subdivision with discussion and possible action to direct Road & Bridge Department to make repairs and/or improvements to the same as deemed necessary by the court.

Mr. Robert Saldana, Law Firm of Frank Saldana, stated that he was not given adequate notice to prepare for this report but will present it at the meeting of February 14, 2005. Mr. Homero Ramirez, County Attorney, recommended that the

court clarify what information they were requesting. Judge Bruni stated that he wanted information regarding Pueblo Nuevo but would ultimately need to know what roads belong to the County.

- Item No. 11 Discussion and possible action to adopt a resolution opposing House Bill 127 and the potential threat of loss of state funding for the JJAEP Program that that bill may cause.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Edgar Bueno, JJAEP Director, advised the court that the Juvenile Board had passed a similar resolution and was in agreement 100%.

- Item No. 12 Status report on Webb County contract with Tetra Tech for the drilling of a secondary water source well on the Carrizo Wilcox aquifer with discussion and possible action to accelerate timetables for the same

Mr. Jim Brown, Tetra Tech, stated that they are in the process of negotiating a contract with the engineer and county attorney since previous agreement was for three (3) 4 inch wells. He stated that he does not feel that it is necessary to drill three wells at once and that it would be better to drill one well for testing purposes. Judge Bruni agreed with Mr. Brown and stated that it would be a waste of money to drill two additional test wells.

Judge Bruni motioned to allow only one test well to be drilled and eliminate the other two. Cmr. Cortez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that Tetra Tech has been very cooperative and that he would go ahead and prepare an agreement for approval at the next meeting. He stated that he would need to make sure that this would not run afoul of the RFPs.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to retain the services of Mr. Hugo Ramos to sample and log well returns at the Carrizo Wilcox aquifer, for a fee of \$200.00/day from commencement of drilling until well completion and for the county attorney to prepare a professional services contract for the same.

Judge Bruni stated that Mr. Ramos works for several oil companies in Webb and Zapata County and would be a great asset to Webb County in monitoring the aquifer.

Judge Bruni motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Mr. Hugo Ramos stated that the completion would take approximately 60 days depending on the equipment and type of terrain. Cmr. Gutierrez requested that a cost ceiling be put in place for this contract. Judge Bruni stated that when \$300,000 is being spent to drill a well, it was critical to log the well returns and have someone with expertise to review the shavings. Mr. Homero Ramirez, County Attorney, stated that the agreement will either need to be tied to the test well or working well. He recommended that no action be taken at this time along with Item No. 12 and item would be brought back at next meeting.

Cmr. Cortez withdrew his second.

- Item No. 14 Discussion and possible action to grant a utility easement to the City of Laredo for its appraised value of \$37,700.00, and to grant a temporary working easement to the City of Laredo in order for it to complete the Chacon Creek Interceptor Project, Phase II.

Mr. Carlos Villarreal, Executive Administrator, stated that he had spoken with city representative and was concerned about the alignment on county property. He requested time to review the appraisal figures and bring item back at the next meeting.

- Item No. 15 Discussion and possible action to transfer slot # 2122 from department 3001, (Water Utilities) to department # 0106 (Building Maintenance); duties for slot # 2122 to include servicing Rio Bravo Community Center and Water Utilities.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to instruct the Webb County Purchasing Agent to solicit Request for Qualifications for a Utilities Director, sufficiently qualified as necessary to oversee operations and maintenance of water and sewer services at Rio Bravo and El Cenizo (Water Utilities department).

Judge Bruni motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the court needed to be aware of what was being placed on the RFQs and recommended that the HR department take

over this function. Mr. Eloy Ramirez, Purchasing Agent, stated that he has been doing this as a collateral duty and would continue at the discretion of the court.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to set date and time to interview and hire a Webb County Veterans Service Officer.

Cmr. Sciaraffa stated that this item needed to be expedited. Cmr. Cortez recommended February 7, 2005 at 1:00 p.m.

Cmr. Sciaraffa motioned to expedite this item and possibly schedule for February 7 at 1:00 pm. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (4:43 pm to 5:00 pm)

- Item No. 18 Presentation of the original art work donated to Webb County by Mr. Jorge Sanchez and Mr. Luis A. Diaz de Leon on Historical Women of Laredo; and recognition by Webb County Commissioners' Court to Mr. Sanchez and Mr. Diaz de Leon on their work and efforts to this project.

Mr. Luis Diaz De Leon was present to address this item. He stated that the original painting was done by Mr. Jorge Sanchez and portrays 36 Historical Women of Laredo. He stated that it was important for the youth of Laredo, especially young girls, to know their local heroes. Cmr. Gutierrez recommended that the original painting be turned over to the Historical Foundation so that it can be prominently displayed in the museum.

- Item No. 19 Status report on countywide right-of-way (ROW) acquisition by the ROW Acquisition Division of the County Engineering Department and the office of the County Attorney

Cmr. Gutierrez requested that this item be deferred to the next meeting, along with the other items dealing with Pueblo Nuevo and county roads.

Cmr. Garza motioned to defer item. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to establish policies and procedures relating to the acquisition of real property and/or rights-of-way to ensure the county's proper maintenance of all acquired tracts through appropriate notice to all affected officials and departments.

Cmr. Gutierrez stated that she would like for Mr. Tomas Rodriguez, County Engineer, Ms. Rhonda Tiffin, Planning Director, Mr. Raul Casso, Chief of Staff, and Mr. Homero Ramirez, County Attorney, to work on this project.

Cmr. Gutierrez motioned to have Mr. Tomas Rodriguez, County Engineer, Ms. Rhonda Tiffin, Planning Director, Mr. Raul Casso, Chief of Staff, and Mr. Homero Ramirez, County Attorney, to work on this project. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21 Discussion and possible action to re-organize positions in the Community Centers of Bruni (Department #6108) and Mirando City (Department #6100) as follows:

- a. Transfer slot #1989, Department #6108 (Bruni Community Center Director) to Department #6100 (Mirando City Community Center); reclassify said slot to "Coordinator of Library Services and Technology Center"; and set the annual salary of this position at \$22, 000.00;
- b. Assign all department head/director responsibilities of the Bruni Community Center to Slot # 0914, Department #6100 (Mirando City Community Center Director); transfer \$4,000.00 from slot #1989 to slot #0914 to adjust the annual salary of slot #0914 by an additional \$4,000.00 to compensate for the increased responsibilities of managing the two centers; and
- c. Authorize the Purchasing Agent to advertise the position of "Coordinator of Library Services and Technology Center" and authorization to fill slot.

Note: No financial impact to the budget as funding is available through the reclassification of slot #1989.

Cmr. Gutierrez motioned to approve Item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to re-affirm the offer of right-of-way (ROW) dedication of Hall Street (between Hwy 359 and Molina Avenue) and Bonita Avenue (between Welhausen Street and Hall Street) as depicted on the plat of Oilton, Texas recorded on May 12, 1937 in Volume 2, Page 57 of the Webb County Plat Records, declare a public necessity and accept by Order effective immediately said ROW as part of the county-maintained road network; instruct the Road and Bridge Superintendent to immediately schedule cleaning and maintenance of these streets; and any matter incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 24 Discussion and possible action to appoint Michael Kazen to the Community Action Agency Advisory Board.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25 Staff report on policies and programs in place regarding tracking and accounting of county inventory.

Cmr. Garza stated that he had some questions and concerns about inventory. He stated that a lot of money is spent on equipment every year and that the court needed to make sure that everything was accounted for. Mr. Eloy Ramirez, Purchasing Agent, stated that his department is responsible for keeping an inventory of county assets and that the disposition of county equipment must be approved by the Commissioners Court. He stated that an elected official or department head can request for an inventory to be taken and given to the next official or department head. Cmr. Cortez questioned whether proper procedure was followed on the disposition of an assumed antique desk that was located at the Community Action Agency office. Homero Ramirez, County Attorney, stated that it would be possible to have the buyer of the desk in question sell the desk back to the county and then have the desk donated to a non-profit organization. Judge Bruni stated that when a department head or elected official leaves office to be sure that everything is accounted for, Mr. Eloy Ramirez, Purchasing Agent, is to be present and an inventory taken.

Cmr. Garza motioned to have Mr. Eloy Ramirez, Purchasing Agent, take an inventory when a department head or elected official leaves office. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to instruct staff to identify possible funds and employee slot number available for the hiring of a Public Information Officer.

Cmr. Garza stated that this would serve as a central location for county information for the media and public. Cmr. Cortez stated that he would like for this item to complement the HR department. Judge Bruni stated that there was possible funding from the vacant Public Information Officer slot.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 27 Staff report on the status on the services being offered by the Veterans Service Office.

Cmr. Garza withdrew this item.

Cmr. Gutierrez congratulated Ms. Betty Mendoza for the work that she has done on her own since October 1st. Judge Bruni congratulated Ms. Mendoza as well and stated that he has not received any complaints. Ms. Mendoza stated that the office has continued to service the same number of veterans as before.

Item No. 28 Staff report on the county's compliance timeline with the Help America Vote Act (HAVA).

Mr. Oscar Villarreal, Interim Elections Administrator, stated that HB 1549 was passed in August 2003. He stated that it would take approximately \$300,000 to purchase the DRE's that need to be placed at every polling site by 2006. He stated that the cost for the DRE's would be covered by the State.

Item No. 29 Discussion and possible action on implementing an e-payment service for traffic tickets to be tested piloted by Justice of the Peace Oscar O. Martinez. The program can be implemented to include other JP offices as they deem appropriate.

Cmr. Garza stated that JP Martinez has the monies available for this in his technology fund.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to name the proposed Penitas West Community Center the "Fred M. and Anita Bruni Community Center" currently pending approval from the Office of Rural Community Affairs.

Cmr. Cortez stated that he wanted to honor Fred and Anita Bruni for their contributions to the community.

Cmr. Cortez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to request proposals for decorating the William N. Hall, Jr., Administration Building.

Item No. 32 Discussion and possible action to approve \$50,000 for preliminary architectural assessment for the renovation of the Webb County Courthouse Annex.

Item No. 33 Discussion and possible action to approve expenditure of the following:

- a. Up to \$40,000 for the purchase of a vehicle for use by any Webb County Commissioners Court department.
- b. Up to \$60,000 of capital outlay funds for the County Attorney's Office
- c. Up to \$50,000 for lighting for baseball field at Father McNaboe Park and \$100,000.00 for a proposed swimming pool at Mines Road. (Terms of agreement to be finalized by County Attorney's Office)
- d. Up to \$50,000 for playground module for the Noon Lions Park. (Terms of agreement to be finalized by County Attorney's Office)
- e. Up to \$100,000 for Modular Building to be located at La Ladrillera Neighborhood Facility for space for migrant and/other neighborhood activities. (Terms of agreement to be finalized by County Attorney's Office)
- f. Up to \$200,000 for capital improvements for the Casa Blanca Golf Course. (Terms of agreement to be finalized by County Attorney's Office)

Cmr. Cortez motioned to accept Item No. 31, No. 32 and No. 33 excluding 33(f).
Cmr. Gutierrez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that for No. 31, proposals would be requested and presented to the Court. Cmr. Garza proposed that instead of purchasing an additional vehicle under Item No. 33(a), it was possible to have a department that already has a vehicle to allow other departments to use that vehicle. Mr. Juan Vargas, Economic Development Director, stated that his department has two vehicles that are not in use 100% of the time and are available at the court's request.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to approve Item No. 33(f). Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that no agreement has been finalized and at courts discretion to approve item.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Garza voting against.

Cmr. Cortez stated that any type of vehicle could be purchased for Item No. 33(a) as long as it was less than \$40,000.00.

Cmr. Sciaraffa motioned to move up Item No. 42 and No. 53. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42 Discuss and possible action to approve the purchase of the following equipment for deputy in Precinct 3 in order to perform his duties as a Peace Officer. Monies to be taken from Capital Outlay:

- 1) Police Vehicle (Truck)
- 2) Light Bar
- 3) Power Supply & Distribution Center
- 4) Radio/Mount
- 5) Radar
- 6) Fuel & Lubricants
- 7) Uniforms

Cmr. Gutierrez stated that Constable Munoz is requesting that the above equipment be purchased from Capital Outlay. She stated that Constable Munoz has a sole deputy who only has one uniform and nothing else. Constable Munoz stated that she has requested in the budget an additional deputy, an additional vehicle, additional funding for fuel and uniforms but was only allotted the deputy. Mr. Leo Flores, County Auditor, stated that Item 1-5 requested can be funded from Capital Outlay but #6-7 must be funded separately.

Cmr. Gutierrez motioned to approve Items 1 thru 5. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53 Discussion and possible action to enter into a Contract Agreement with Landata Technologies, Inc. for Data Warehousing services. The fee for this agreement will be paid through fees collected by users who would subscribe to this service.

Cmr. Cortez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to recess meeting until tomorrow as posted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Official Minutes for Webb County Commissioners Court Meeting

Tuesday, January 25, 2005 at 1:00 PM

Item No. 1 Call to order by Judge Louis H. Bruni

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 19th and 20th of January 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

Item No. 3 Pledge of Allegiance – Led by all

Comr. Cortez motioned to bring back Item No. 64 and No. 33(f). Comr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 64 Discussion and possible action to adopt the Golf Course Improvement Budget from Capital Outlay in the amount of \$282,000.

1. Pump Station, Building, Pad and Installation	\$120,000
2. Excavation of creeks and ponds	\$ 30,000
3. Shaping of material	\$ 30,000
4. Installation of Drain	\$ 16,000
5. Golf Course Irrigation Installation	\$ 30,000
6. Sodding with 419 Bermuda	\$ 41,900
7. Contingency	\$ 14,100
TOTAL	\$282,000

Item No. 33 Discussion and possible action to approve expenditure of the following:

- a. Up to \$40,000 for the purchase of a vehicle for use by any Webb County Commissioners Court department.
- b. Up to \$60,000 of capital outlay funds for the County Attorney's Office
- c. Up to \$50,000 for lighting for baseball field at Father McNaboe Park and \$100,000.00 for a proposed swimming pool at Mines Road. (Terms of agreement to be finalized by County Attorney's Office)
- d. Up to \$50,000 for playground module for the Noon Lions Park. (Terms of agreement to be finalized by County Attorney's Office)
- e. Up to \$100,000 for Modular Building to be located at La Ladrillera Neighborhood Facility for space for migrant and/other neighborhood activities. (Terms of agreement to be finalized by County Attorney's Office)
- f. Up to \$200,000 for capital improvements for the Casa Blanca Golf Course. (Terms of agreement to be finalized by County Attorney's Office)

Comr. Cortez stated that \$272,000 was appropriated by the previous court for golf course improvements. He also stated that each commissioner was allotted equal monies for parks, which is being used for Item No. 33(f). He stated that he was not requesting further action but wanted to clarify the funding sources. Mr. Leo Flores, County Auditor, stated that Park monies cannot be applied to operational expenses. He stated that bond monies not used can be transferred to debt service and free up monies that were earmarked for that purpose. Comr. Cortez stated that the monies that were allotted to the court members are returned for lack of court approval, it would leave that precinct shortchanged.

Item No. 34 Discussion and possible action to approve a line item transfer of \$1,890.16 from Repairs & Maintenance of Equipment to Professional Services in the Golf Course Department. The funds will be used to pay the Texas Commission on Environmental Quality for an assessment fee for the 600 acre feet of Casa Blanca water rights owned by the County to irrigate the Casa Blanca Golf Course.

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action for approval to accept the grant award, budget and other relevant documents, from the Texas Department of Housing and Community Affairs(TDHCA), for the Comprehensive Energy Assistance Program (CEAP), for FY 2005, in the amount of \$342,431.00, and authorizing the County Judge to sign all relevant documents.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and Possible Action to approve the appointment of a Civic/Social Organization for "Category C" for the Community Action Agency Advisory Board, to fill current vacancies. The following organizations are being recommended by the CAA Advisory Board, for Commissioner's Court approval: 1) Motivation Education and Training Inc. (M.E.T.) 2) Elks Lodge and 3) Laredo Organized Volunteers for Elderly and Disadvantaged (L.O.V.E.D.).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and Possible Action for approval to fill Slot # 1809 (CEAP Clerk), Full-time, temporary, no benefits), @ \$8.25/hr., effective January 25, 2005. Funding comes from the Comprehensive Energy Assistance Program (CEAP). No Impact on the General Fund.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and Possible Action to fill slot #1556 for (Driver) @ \$8.57/hr, regular, full-time w/ benefits, for Rural Transportation Program, effective January 25, 2005. Funding comes from Fund 980-4200-5001. No Impact on General Fund.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and Possible action for submission to Texas Department of Transportation (TXDOT) Federal 5311 Grant Application, for FY -2005, in the amount of \$267,329,000.00 and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Cynthia Mares, Community Action Agency Director, stated that the correct amount is \$267,329.00

- Item No. 40 Discussion and possible action to seek funds authorizing an external audit of the Webb County Constable Pct. 1.

Cmr. Cortez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Chief Deputy Fernando Sanchez stated that there were several items missing, including equipment, and would like an audit to be performed. Mr. Leo Flores, County Auditor, stated that the court would previously conduct an internal audit and determine whether there would be a need for an external audit in the event of discrepancies.

Cmr. Cortez withdrew his motion. Cmr. Sciaraffa withdrew his second.

- Item No. 41 Discussion and possible action to change titles from slot #1249 Asst. Chief Administrator to Chief Deputy, reason being for Chief Deputy to be eligible to receive incentives and slot #1266 from Administrative Deputy to Executive Secretary/Office manager.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action to authorize the Washington's Birthday Celebration Association the use of County property on Highway 59, known as the CLEAR shooting range, on Sunday, February 20, 2005, for the purpose of a fireworks display and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to enter into an Inter-local Government Agreement with the City of Laredo to form a Mutual Aid Law Enforcement Task Force during the 2005 Washington's Birthday

Celebration Festivities (January 27 through February 20, 2005) to allow the Sheriff's Department and Laredo Police Department to Mutually Assist each other in traffic and crowd control and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to enter into a one (1) year (September 1, 2004 through August 31, 2005) interlocal agreement with Laredo Independent School District (LISD) for four (4) Justices of the Peace Juvenile Court Coordinators in the amounts of THIRTEEN THOUSAND FIVE HUNDRED AND EIGHTY-ONE DOLLARS AND FIFTY CENTS (\$13,581.50) for the coordinator assigned to J.P. Court Precinct 1, Place 1, THIRTEEN THOUSAND NINE HUNDRED AND SEVENTY-NINE DOLLARS AND FIFTY CENTS (\$13,979.50) for the coordinator assigned to J.P. Court Precinct 1, Place 2, THIRTEEN THOUSAND THREE HUNDRED AND SEVENTY DOLLARS (\$13,370.00) for the coordinator assigned to J.P. Court Precinct 2, Place 1, and TWELVE THOUSAND FIVE HUNDRED AND TWENTY-ONE DOLLARS (\$12,521.00) for the coordinator assigned to J.P. Court Precinct 2, Place 2, and authorizing the County Judge to sign all relevant documents. [Requested by Justices of the Peace Pct. 1, Pl. 1, Pct. 1, Pl. 2, Pct. 2, Pl. 1, Pct. 2, Pl. 2, Account No. #6022 (Professional Services)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and possible action to enter into a one (1) year (January 28, 2005 through January 27, 2006) parts and labor extended warranty with Allegheny Paper on a Paper Shredder located at the Records Management Department at a cost of THREE THOUSAND AND EIGHTY FIVE DOLLARS (\$3,085.00), seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by MIS Department,

Account Nos. 001-0500-6402 & 008-0101-6402 (Repairs and Maintenance)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to enter into a six (6) month (January 1, 2005 through June 30, 2005) commercial lease agreement with Consolidated Towne East Holdings L.C. concerning office lease space of approximately 2300 square feet located at 3710 Loop 20 at a cost of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00) a month for a total of FOURTEEN THOUSAND FOUR HUNDRED DOLLARS (\$14,400) over the lease term and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hon. Ricardo Rangel, Justice of the Peace Precinct 2, Place 2, Account No. 679-8105-8103 (Building Improvement)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action to enter into a Equipment Maintenance Agreement with Office Communications Systems, Inc. for five (5) Toshiba Digital Copiers which were purchased by various Webb County Offices and Departments:
- | | |
|---|----------------------|
| (1) Webb County District Clerk's Office Copier | (\$.0062 per copy); |
| (2) Webb County Attorney's Office copier | (\$.0062 per copy); |
| (3) Webb County Risk Management Department copier | (\$.0062 per copy); |
| (4) Webb County Auditor's Office copier | (\$.0062 per copy); |
| and | |
| (5) Webb County Central Jury Room copier | (\$.0081 per copy), |
- For a twelve (12) month period (12/23/04 through 12/22/2005) at costs based on the overages listed per copier and authorizing the County Judge to sign all relevant documents. [Requested by Purchasing Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to transfer funds, effective January 24, 2005:
FROM:
001-1101-1331 (Investigator/Victims Asst. Coordinator) \$10,000.00
TO:
001-1101-1522 (Investigator/Juvenile Specialist) \$10,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action to approve a Resolution requesting that Webb County be designated DMA (Designated Management Authority) for the State Highway 59 Facilities Planning Area and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action to enter into an agreement with Mr. Jose Rugama to bore under State Highway 83 for one 12 inch water line and one 12 inch sewer line in exchange for an 11,167 square foot tract and credit toward future water and sewer capital improvement fees.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that Mr. Rugama is the property owner for the Santa Rosa farm and they are negotiating for the deed of land. He stated that he will not be paid but given credit for future water services.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to accept an 11,167 square foot site easement from Mr. Jose Rugama for the installation, construction, operation, maintenance, replacement, repair, upgrade, and removal of raw water intake structures, raw water lines and a raw water pump station and related facilities.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Advising the Commissioners Court of the addition of vehicles to the District Attorney's Office fleet (List in Backup).

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55 Discussion and possible action on the approval to file the District Attorney's Office Domestic Violence Initiative, Investigator position. This position will be funded by the Victim's of Crime Act (VOCA) 80%, with a 20% match.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 56 Discussion and possible action authorizing Change Order No. 2 to C.G. Construction increasing the Contract time by ninety (90) days for additional improvements to the District Clerk's Offices, Tax Assessor & Collector Office, and Ramp for the entrance to the Veteran's Office and to the sprinkling system.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57 Discussion and possible action to modify slot # 1841, from full-time CDA Teacher II (40 hrs/week for 10 months) with an annual salary of \$18,946 to full-time AA Teacher (40 hrs. /week for 10 months) with an annual salary of \$20,473 to become effective January 25, 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action to fill slot #2128, (PC Service Technician II) at \$11.73 per hour effective January 25, 2005.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 59 Discussion and possible action to obtain cellular services for the County Judge's bailiff, Barney Garcia for 500 minutes.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 60 Discussion and possible action to purchase two (2) complete computers systems from IBM in the amount of \$10,070.14 for the Road and Bridge Department.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Mr. Eloy Ramirez, Purchasing Agent, stated that item should read that it is for seven (7) computers, not two.
- Motion carried 5-0 by unanimous consent.
- Item No. 61 Discussion and possible action to award/reject Bid No. 2005-42 "Webb County Records Management Building" to PU-MA Builders in the amount of \$740,910.00 in conjunction with accepting a deductive change order, for value engineering items for a savings of \$120,306.00. Base Bid \$740,910 Less Value Engineering items (\$120,306) Amount to be awarded \$620,604
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Mr. Eloy Ramirez, Purchasing Agent, stated that three bids were received with lowest bidder being \$740,910. The project was budgeted at \$620,000. He stated that Mr. Tomas Rodriguez, County Engineer, and Sepulveda Architects did some value engineering to come in on budget. He recommended awarding to PU-MA Builders.
- Motion carried 5-0 by unanimous consent.

Item No. 62 Discussion and possible action to award/reject the Webb County Neighborhood Initiative Rehabilitation Program bids

Bid Package 2005-43	\$66,400.00	AA Builders
Bid Package 2005-44	\$55,150.00	AA Builders
Bid Package 2005-45	\$77,175.00	David Cantu Jr.

Mr. Eloy Ramirez, Purchasing Agent, requested that this item be deferred to the next meeting. He stated that he wanted to review the last bid package to see if the home met the requirements and if the bid met the specifications listed.

Comr. Sciaraffa motioned to defer this item. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 63 Discussion and possible action to retain the services of ARC Abatement to conduct remediation services (asbestos and lead abatement) in the amount of \$12,797 for the Villa Antigua Project.

Comr. Garza motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 67 Discussion and Possible to approve request from the Tax Assessor – Collector's Office, Dept. 0700, to charge a \$3.00 processing fee for special (30 day, one trip tag, 72 hour and 144 hour) permits printed and issued as permitted by law.

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 68 Discussion and possible action to approve requests from the Tax Assessor – Collector's Office, Dept 0700:

Refunds due as follows:

Clark's Crossing Partners, Ltd.

2700 Via Fortuna, Suite 160, Austin, TX 78746

Acct #90810001030

Reason: Protest determination on 11/18/04. Grant housing charitable exemption for 2003.

Total Refund: \$9,258.91

Villa Del Rio, Ltd

PO Box 187, Prairie View, TX 77446

Acct #97820001010

Reason: Reappraise improvement per district Court Judgment Case
#2003CVQ001308 for 2003-2004

Total Refund: \$7,768.34

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 69 Discussion and possible action to implement a finance committee to review claims for accounts payable.

Ms. Delia Perales, County Treasurer, stated that she would like to implement a finance committee to resolve problems without having to come before the court. She stated that she would like for the committee to consist of Mr. Carlos Villarreal, Mr. Raul Casso, Mr. Eloy Ramirez, Cmr. Sciaraffa, Cmr. Garza and Mr. Leo Flores. Mr. Carlos Villarreal, Executive Administrator, stated that a previous finance committee caused more problems than it solved since it delayed the payment process. Mr. Raul Casso also expressed concerns about possible preemptions of votes if the commissioners sat on the committee. Mr. Leo Flores, County Auditor, stated that this would delay the payment process further. He stated that the county already has a problem with businesses not wanting to do business with Webb County due to untimely payments. Ms. Perales stated that she has payments totaling \$30,000 on hold in her office because there are no funds available in that line item. She stated that she advised Mr. Villarreal that the monies needed to be transferred to that line item immediately but nothing has been done. Mr. Flores stated that the contract states that the county pays for two meters at the pump house and bill was returned to the Treasurer's Office so that a line item transfer could be done. Mr. Nathan Bratton, Assistant County Attorney, stated that the discussion was going outside the area of establishing a finance committee. Cmr. Gutierrez stated that this was a matter of communication and does not see need for committee unless absolutely necessary. Ms. Perales also expressed concerns about departments purchasing clothing for their employees without a uniform line item.

Cmr. Sciaraffa motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 70 Discuss and possible action to transfer slot #2231
(Deanor/Investigator) from department 001-2070 (Medical Examiner & Morgue) to department 001-0300 (Treasurer's Office) together with funds and to authorize filling slot at an hourly rate of \$15.63 effective 4/1/05 and to change title to payroll analyst.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Leo Flores, County Auditor, expressed concerns about this item since there would be a need for approximately \$50,000 in additional monies for autopsies and this was seen as a potential funding source for those monies. Cmr. Gutierrez stated that the morgue will be operational soon and position will be needed. Ms. Perales stated that this slot is needed because bank reconciliations are not being done monthly and there are over 70 accounts to reconcile. She stated that her office is also doing the state reports analyzing court costs from the JP and Probation offices as well as the state report on civil fees. Mr. Leo Flores, County Auditor, stated for the record that there are several accounts that have no activity and do not need to be reconciled. Cmr. Garza expressed concerns about setting a bad precedence in altering the budget in the middle of the year. He stated that in other governmental agencies, such requests are told to be placed in the budget for the following year. Cmr. Gutierrez stated that this slot was needed for the morgue and that all the departments were evaluated by the budget committee which recommended what was needed for each department and which requests were justified.

Motion carried 3-2 with Cmr. Gutierrez and Cmr. Garza voting against.

Cmr. Gutierrez recognized former Cmr. Rick Reyes' attendance at the meeting.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:40 PM to 3:04 PM)

Judge Bruni reconvened the meeting and stated that absolutely no action was taken while in Executive Session.

Item No. 71 Discussion and possible action to issue specific direction to Risk Management regarding the Justice Center water damage claim of January 3, 2005. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code-Consultation with Attorney).

Mr. Nathan Bratton, Assistant County Attorney, recommended that the Law Library close for approximately 3-4 weeks and that no further action be taken.

Cmr. Gutierrez motioned to close the Law Library for 3-4 weeks. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Executive Administrator, stated that the court needed to authorize him to proceed with the instructions given. Mr. Bratton recommended that they amend their motion to include authorization to enter into negotiations up to \$80,000.

Cmr. Gutierrez motioned to amend her motion to include authorization to enter into negotiations up to \$80,000. Cmr. Garza amended his second.

Motion carried 5-0 by unanimous consent.

Item No. 72 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.